

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Delmarco Craig

Case: 2:21-mj-30248

Assigned To : Unassigned

Date : 5/27/2021

CMP USA V CRAIG (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 26, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 922(g)(1)	Felon in Possession of a Firearm
18 U.S.C. 922(o)	Possession of a Machinegun

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: May 27, 2021

City and state: Flint, Michigan


Complainant's signature

Brett Brandon, Special Agent (ATF)

Printed name and title



Judge's signature

Honorable Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Brett J. Brandon, being first duly sworn, hereby state:

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2013. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations focused on firearms, drug trafficking violations, and criminal street gangs.

PURPOSE OF THE AFFIDAVIT

2. This affidavit is made in support of a criminal complaint charging Delmarco Almontay Craig with violations of Title 18 U.S.C. § 922(g) (Felon in Possession of a Firearm) and Title 18 U.S.C. § 922(o) (Illegal Possession of a Machinegun), to wit: a Glock, model 23, .40

caliber pistol equipped with a Glock conversion device which rendered the firearm fully automatic.

3. The statements in this affidavit are based on my personal knowledge from my direct involvement in this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

4. The information outlined below is for the limited purpose of establishing probable cause for the requested search warrant, and this affidavit does not contain all the information known to law enforcement related to this investigation.

PROBABLE CAUSE

5. On May 23, 2021, I reviewed Michigan Third Circuit Court Register of Actions records which indicated that Craig has previously been convicted of at least one felony punishable by imprisonment for a term exceeding one year. In July 2016, Craig was sentenced to probation under the provisions of the Holmes Youthful Trainee Act (“HYTA”) for three felony offenses of possession of fraudulent financial transaction device. In April 2017, Craig violated the terms of his

probation, HYTA was revoked, and Craig was sentenced on the three felony offenses.

6. During the months of March and April 2021, ATF agents reviewed the Instagram profile associated with User ID “thebighomie_8”. Agents utilized a Michigan Driver’s License photograph of Craig to identify Craig as prominently in a majority of, and sometimes the only individual in, the images and videos posted to the “thebighomie_8” Instagram account, concluding that Craig has access to and uses the account as his own.

7. Craig recently changed the Instagram User ID for his Instagram account to “the8ighomie_”. I reviewed the Instagram account associated with Instagram User ID “the8ighomie_”, including “stories” (short videos or images that can be posted to an Instagram user’s account and displayed publicly or to the user’s followers in a private account), and other images and videos posted by the user. Based on my review, I observed that Craig is prominently in the majority of, and is sometimes the only individual in, the pictures and videos posted to the “the8ighomie_” Instagram account which suggests that Craig accesses and uses this account as his own.

8. On May 22, 2021 at approximately 1:49 pm, an Instagram Live Video was posted to the “the8ighomie_” Instagram account. An Instagram Live Video is a video streamed in real time and posted to the Instagram account. In the video, shot with a self-facing camera, Craig is standing in what appears to be a living room of a residence without a shirt on. At one point in the video, Craig pointed a tan AR CMMG Banshee series AR pistol and what appears to be a black Glock pistol with an extended magazine inserted at the camera.

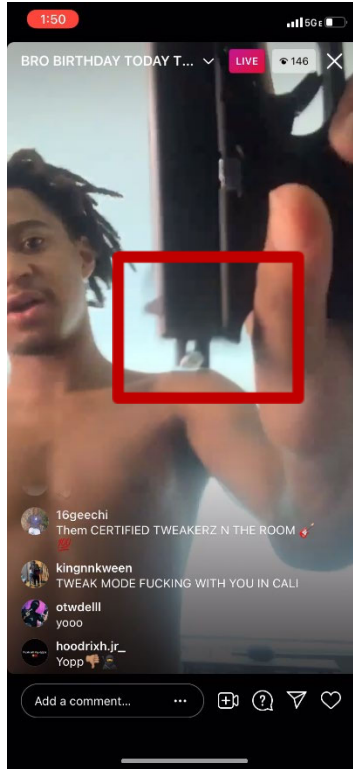


9. I observed a round of ammunition down the barrel of the Glock pistol. I also noted the following characteristics consistent with

Glock pistols: the shape of the trigger and trigger guard, the shape of the slide and frame, the location and shape of the slide release and take down lever, and the distinctive finger grooves on the grip, and the unique shape of the floor plate of the extended magazine inserted into the firearm.

10. Craig then held the Glock pistol in front of the camera and stated, “Which one you want that two-three...”. I am aware based on experience investigating the criminal possession and use of firearms, to include Glock pistols, that the phrase “two-three” can be used to refer to a Glock 23 .40 caliber pistol.

11. Craig then pulled the Glock pistol away from the camera and placed the rear of the slide in the center of the camera stating, “with that ugh on that bitch...” revealing what appears to be a Glock conversion device affixed to the rear of the slide.



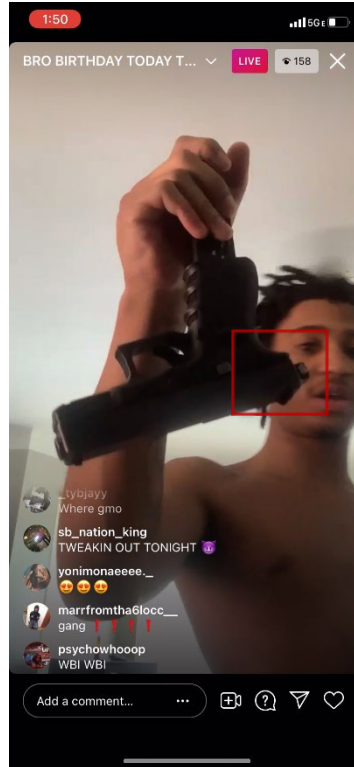
12. A Glock conversion device – commonly referred to as a “Glock Switch” or “Glock Auto Sear” – is a part or combination of parts that, when affixed to a Glock pistol, converts the firearm from a semi-automatic pistol to a fully automatic machinegun. A machinegun is a firearm under the Nation Firearms Act and is defined, in pertinent part, as “any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun.” 26 U.S.C. § 5845(b). Therefore, the Glock conversion device itself is a machinegun. The Gun Control Act, 18

U.S.C. § 922(o), prohibits the transfer or possession of a machinegun manufactured after May 19, 1986.

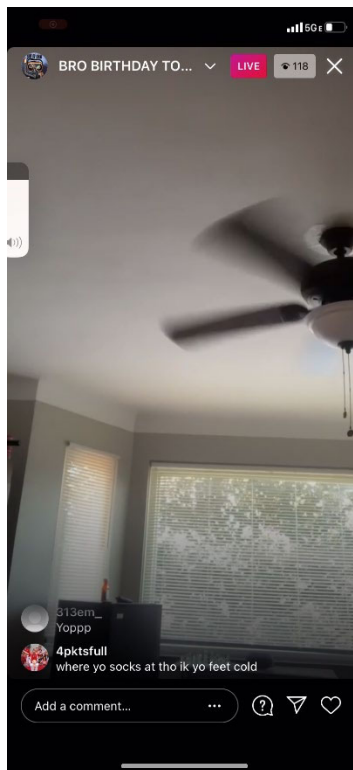
13. ATF is not aware of any Glock conversion devices that were developed before May 19, 1986. As such, Glock conversion devices are considered post-1986 machineguns. Therefore, they may only be lawfully possessed by properly licensed Federal Firearms licensees who have paid the appropriate Special Occupational Tax required of those manufacturing, importing, or dealing in NFA firearms under the authority of the United States and any department or agency thereof or a State or a department, agency, or political subdivision thereof.

14. On May 24, 2021, ATF Industry Operations Investigator John Murphy queried Craig in the National Firearms Act Registration and Transfer Record (NFRTR) with negative results. Therefore, Craig cannot lawfully possess, manufacture, transfer, or deal in NFA firearms.

15. As the May 22, 2021 Instagram live video continues, Craig again possessed the Glock pistol with the Glock conversion device affixed to the rear of the slide (right image below).



16. At several points throughout the video, Craig moved from in front of the camera, which revealed a large picture window behind him and a smaller tall window to the right (with the rear facing camera it appears on the left). I noted the large tree visible outside the window as well as a table in front of the window.



17. On May 25, 2021, law enforcement observed Craig at a residence located at 18674 Pennington Drive, Detroit, Michigan.

18. On May 26, 2021, the ATF Detroit Crime Gun Enforcement Team (CGET) served a federal search warrant at 18674 Pennington Drive in Detroit, Michigan. During the search warrant service, the CGET encountered Craig coming down from the upstairs of the residence. During the search the CGET six (6) firearms, to include a black Glock 23 .40 caliber pistol bearing serial number "BCSM722" from underneath the covers on top of the bed in the upstairs west bedroom (see photo below). When the Glock 23, .40 caliber pistol was recovered

it was equipped with a Glock conversion device. This firearm is identical to the Glock that Craig possessed in the Instagram Live video that was posted on May 22, 2021 and referenced above.



19. I noted the bedroom had a large picture window behind him and a smaller tall window to the left matching the room where Craig filmed the above referenced May 22, 2021 Instagram Live Video. Additionally, Craig also claimed ownership of a white Apple iPhone recovered in that bedroom.

20. On May 26, 2021, ATF Interstate Nexus Expert, Special Agent Jimmie Pharr and inspected the Glock 23 .40 caliber pistol

bearing serial number “BCSM722”. Special Agent Pharr advised the firearm is a firearm as defined under 18 U.S.C. § 921 and manufactured outside of the state of Michigan after 1898, and therefore had traveled in and affected interstate commerce. Furthermore, the conversion kit on the firearm allows the firearm to shoot automatically, more than one shot, without manual reloading, by a single function of the trigger, as defined under 26 U.S.C. § 5845(b).

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

CONCLUSION

21. Probable cause exists that on May 26, 2021, within the Eastern District of Michigan, Delmarco Amontay Craig (B/M; DOB: XX/XX/1999), violated 18 U.S.C. §§ 922(g)(1) and (o) for possessing a firearm as a felon and for possessing a machine gun, to wit: a Glock, model 22, .40 caliber pistol equipped with a Glock conversion switch, which rendered it fully automatic.

Respectfully submitted,



Brett J. Brandon
ATF Special Agent

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Hon. Curtis Ivy, Jr.
United States Magistrate Judge

Dated: May 27, 2021